

Serial No. 09/810,314

REMARKS

As the Office Action concluded a defective declaration, applicant encloses herewith substitute declarations from both inventors, as well as a Statement under 37 C.F.R. 3.73(b).

Pursuant to 37 C.F.R. 1.178, applicant provides a statement as to loss or inaccessibility of the original patent.

Claims 1-24 stand objected to pursuant to the previous Office Action. Applicant's previous attorney and the Examiner discussed an amendment to claim 1 during a telephonic interview on January 29, 2004. With this amendment, applicant has amended claim 1 pursuant to the interview and therefore applicant believes this application to be in condition for allowance, which action is respectfully requested.

Respectfully submitted,

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